

RESOLUTION NO. 2413  
RESOLUTION OF INTENTION TO CREATE E-911 SPECIAL DISTRICT

WHEREAS, the Flathead County Board of Commissioners may create a special district under Montana Code Annotated Title 7, Chapter 11, Part 10, whenever the public convenience and necessity may require;

WHEREAS, a properly noticed public hearing was conducted on October 28, 2015, concerning the creation of a proposed special district to provide funding for emergency dispatch and supporting communication services, equipment, and infrastructure for Flathead County and its municipalities; and

WHEREAS, comments received prior to and during the public hearing were reviewed and fully considered by the Flathead County Board of Commissioners.

NOW THEREFORE, IT IS HEREBY RESOLVED that the Flathead County Board of Commissioners believe that public convenience and necessity require the creation of a special district to provide funding for emergency dispatch and supporting communication services, equipment, and infrastructure for Flathead County and its municipalities, without which funding emergency services in Flathead County will be hampered or curtailed;

The proposed special district shall be named E-911 Special District (hereinafter "District");

The boundaries of the proposed special district include all property located within the boundaries of Flathead County, Montana, as shown on Exhibits A and B, except as otherwise excluded or exempt by law;

The proposed special district will be administered by the Flathead County Board of Commissioners and will be perpetual in duration unless and until modified or dissolved under applicable law;

The estimated annual cost of the proposed special district to be funded through this assessment is \$1,900,000.00, and the Flathead County Board of Commissioners will assess the percentage of the cost of the program or improvements against the entire district based upon the character, kind, and quality of service for a residential or commercial unit, taking into consideration the nature of the property or entity assessed; a calculated basis for the program or service, including volume or weight; the cost, incentives, or penalties applicable to the program or service practices; or any combination of these factors; and

The maximum initial proposed annual assessments for fees that would be imposed are \$25.00 per residential unit, and up to \$1000.00 per commercial unit according to a sliding fee scale based on business type. It is not the intention of the Flathead County Board of Commissioners to assess fees for vacant or government-owned property. Assessments will be made and levied annually pursuant to Section 7-11-1025, M.C.A. (2015).

BE IT FURTHER RESOLVED that the Flathead County Board of Commissioners shall conduct a hearing on December 30, 2015, at 9:30 o'clock, a.m., local time at the Commissioners' Chambers, 3<sup>rd</sup> Floor Old Courthouse, 800 South Main, Kalispell, Montana, to consider written protests against the proposed District. A written protest must identify the property in the proposed District by either its street address or legal description, whichever the property owner prefers; be signed by a majority of the owners of the property; and be mailed or delivered to Clerk to Flathead County Board of Commissioners, ATTN: E-911 Special District, 800 South Main, Room 302, Kalispell, Montana, 59901. A written protest may also be filed by filling out the Protest Form attached to the Notice of Passage of Resolution of Intention mailed to property owners, and returning it to Clerk to Flathead County Board of Commissioners, ATTN: E-911 Special District, 800 South Main, Room 302, Kalispell, Montana, 59901. Written protests must be received by the Clerk to the Flathead County Board of Commissioners by 5:00 p.m. o'clock, p.m., local time, on December 29, 2015.

A Notice of Passage of Resolution of Intention to Create E-911 Special District as shown in Exhibit C shall be published as provided in Sections 7-1-2121 and 7-1-2122, M.C.A. (2015). A list of those properties subject to potential assessment of fees is available at [www.flathead.mt.gov](http://www.flathead.mt.gov). This list may not be distributed or sold for use as a distribution list in accordance with Section 2-6-1017, M.C.A. (2015).

DATED this 28<sup>th</sup> day of October, 2015.

BOARD OF COUNTY COMMISSIONERS  
Flathead County, Montana

By: \_\_\_\_\_  
Pamela J. Holmquist, Chairman

By: \_\_\_\_\_  
Gary D. Krueger, Member

By: \_\_\_\_\_  
Philip B. Mitchell, Member